

Remarks

Reconsideration of this Application is respectfully requested. On behalf of the Applicants, the undersigned wishes to express appreciation to the Examiner for the courtesies extended during the telephonic interview conducted on November 29, 2001.

Claims 1-18 are pending in the application, with claims 1, 2, 5, 7, 13, 14, 17 and 18 being the independent claims. Based on the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding rejections and they be withdrawn.

Claim Rejections under 35 U.S.C. 103(a)

Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Musk et al., U.S. Patent No. 5,944,769 ("the Musk patent").

Independent Claim 1

Independent claim 1 recites a database containing real estate information and property location information related to a geographic position. The database returns real estate information that relates to a property located proximate to the geographic position of a wireless device.

As discussed during the telephonic interview of November 29, 2001, the system of the Musk patent does not return real estate information to the wireless device. In fact, the only information that is returned from the database in the system of the Musk patent is the address of a location and directions to that location. There is nothing in the Musk patent to suggest that information relating to a property located proximate to the geographic position of the wireless device is returned to the wireless device. For at least this reason, independent claim 1 is patentable over the cited reference.

Independent Claim 2

Independent claim 2 recites a method for accessing a real estate database over a communications network via a wireless device. The claim recites “positioning a user at a desired piece of property.” The Musk patent does not disclose positioning a user at a desired piece of property. For at least this reason, independent claim 2 is patentable over the cited reference. Because of their dependence upon independent claim 2, dependent claims 3 and 4 are patentable over the cited reference.

Independent Claim 5

Independent claim 5 recites a database including information about a plurality of properties, said information including real estate information and property location information. As indicated above, the system of the Musk patent does not return real estate information to the wireless device. For at least this reason, independent claim 5 is patentable over the cited reference. Because of its dependence upon independent claim 5, dependent claim 5 is patentable over the cited reference.

Independent Claim 7

Independent claim 7 recites receiving said location information and said real estate information from said real estate information system, said real estate information related to a property proximate to the geographic position of the wireless device. As discussed above, the system of the Musk patent does not return real estate information to the wireless device. Likewise, such real estate information is not received as required in claim 7. For at least this reason, independent claim 7 is patentable over the cited reference. Because of their dependence upon independent claim 7, dependent claims 8-12 are patentable over the cited reference.

Independent Claim 13

Independent claim 13 recites transmitting to the wireless device said real estate information related to a property proximate to said geographic position. As discussed above, the system of the Musk patent does not transmit real estate information related to a property to the wireless device. For at least this reason, independent claim 13 is patentable over the cited reference.

Independent Claim 14

Independent claim 14 recites a receiver that receives said real estate information based on said geographic position from said information system. As discussed above, the system of the Musk patent does not return real estate information to the wireless device. Likewise, such real estate information is not received as required in claim 14. For at least this reason, independent claim 14 is patentable over the cited reference. Because of their dependence upon independent claim 14, dependent claims 15 and 16 are patentable over the cited reference.

Independent Claim 17

Independent claim 17 recites retrieving real estate information for one of the properties in the database using the geographic position of the wireless device to access the information about the properties via the property location information. The system of the Musk patent does not allow a user to retrieve real estate information as required in claim 17. For at least this reason, independent claim 17 is patentable over the cited reference.

Independent Claim 18

Independent claim 18 recites receiving said real estate information from said real estate information system, said real estate information related to a property proximate to the geographic

position, said real estate information retrieved by said real estate information system using said location information. As discussed above, the system of the Musk patent does not return real estate information to the wireless device. Likewise, such real estate information is not received as required in claim 18. For at least this reason, independent claim 18 is patentable over the cited reference.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that further personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Reply is respectfully requested.

Respectfully submitted,

COOLEY GODWARD LLP

Date: December 20, 2001

By:


Erik B. Milch
Reg. No. 42, 887

RECEIVED
DEC 28 2001
GROUP 3600

COOLEY GODWARD LLP
11951 Freedom Drive
Reston Town Center
Reston, Virginia 20190-5601
(703) 456-8000